

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 10-4542

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IN RE: JOHN T. PICKERING-GEORGE  
(ADOPTED) JOHN R. DALEY, JR.,  
Petitioner

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Petition for Writ of Mandamus from the  
District Court of the Virgin Islands  
(Related to D.V.I. Civil No. 10-cv-00079)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
December 16, 2010

Before: RENDELL, FUENTES and SMITH, Circuit Judges

(Opinion filed January 6, 2011)

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OPINION OF THE COURT

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PER CURIAM

John Pickering-George has filed a petition for a writ of mandamus in which he complains about the “failure to docket” a civil action which he submitted to the District Court of the Virgin Islands. For the following reasons, we will deny the petition.

Pickering-George alleges that he submitted a petition to the District Court in July 2010, but that the “court clerk’s office did not respond with a civil docket number nor the status of the case.” Significantly, however, a search of the District Court’s electronic

docket indicates that Pickering-George's action was filed on July 16, 2010. See Pickering-George v. Dowdye, et al., No. 10-cv-00079. Therefore, to the extent Pickering-George seeks an order directing the District Court clerk to docket his petition, we will deny the mandamus petition as moot.

We recognize that, along with the complaint, Pickering George filed in the District Court an application to proceed without prepaying fees or costs. He submitted another such application in November 2010, along with requests for a docket number and a status report. Although the District Court has not addressed any of Pickering-George's filings, we are confident that it will take appropriate action in the case expeditiously.<sup>1</sup>

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<sup>1</sup> The Clerk of this Court is directed to furnish Pickering-George with a copy of the docket report in D.V.I. Civ. No. 10-cv-00079.